



RE: Las Pilitas Quarry - Draft Environmental Impact Report (DEIR) Comments & Questions

Chip Greene to: mwilson

06/05/2013 10:14 AM

Murry Wilson, Environmental Resource Specialist
976 Osos Street, Room 300
San Luis Obispo, CA 93408-2040

RE: Las Pilitas Quarry – Draft Environmental Impact Report (DEIR) Comments & Questions

Dear Mr. Wilson,

I am a property owner along highway 58 in Creston, near Santa Margarita and I am forwarding to you my comments and questions after reviewing the DEIR for the proposed Las Pilitas Quarry (LPQ).

Along with many other property owners that will be negatively impacted by the LPQ, I wanted to let you know of my strong opposition to this project for two primary reasons:

1. Safety

This project, as proposed, will endanger the safety, of the many people, who live, work, shop, and travel through this area.

2. Quality of Life

The decision to allow another industrial use in this small community continues a pattern of change to the character of Santa Margarita from that of a quaint, historical village to an ever expanding industrial region, stripping away the area's current quality of life in an unbalanced way.

Safety

Let me begin by saying that I am a strong proponent of people's rights to use their properties in any manner they choose, be it for personal or commercial use, so long as it does not violate laws or codes, and most importantly does not impact the safety of others.

SR 58 was never intended for the type of truck traffic that it will have to support if LPQ is approved. Although, the Hansen Quarry has a road that connects to SR 58, it uses its access point on El Camino Real for all its truck traffic. Having traveled SR 58 many, many times, over more than 30 years, in different sized vehicles, sometimes towing a small trailer, I can assure you that it takes extreme caution and 100% attention to the road and current conditions, to drive this route safely. The route is narrow, with many off camber turns, blind turns, steep sections, and small soft shoulder areas. Often the roadway will be wet from fog and mist, and sections of the road that sit at the bottom of natural drainage areas, will fill with mud and debris, causing further danger. I also use SR 58 for recreation on my bicycle and my motorcycle, along with many others. This route is appropriate for this type of use, given the light footprint that bicycles and motorcycles make on the road. They fit easily within the narrow lane, in each direction, and they

do not damage the asphalt.

I believe that the trucks that will be allowed to operate on SR 58, if LPQ is approved, will not be able to stay in their lane 100% of the time, and the resulting “off-tracking” which would cause portions of the rig to go off onto the soft shoulder or cross the center line of the highway, will be the cause of accidents, injuries and even deaths to occur. This “off-tracking” onto the soft shoulder will force rock, dirt and debris onto the roadway. In addition, I believe that these trucks will drop dirt, rock and debris, from their loads and from their tires, in route to and from this dirty, rocky quarry or dirty, rocky construction sites. These two situations will cause a dangerous condition for bicyclists and motorcyclists as even small amounts of dirt or rock on the roadway can cause an accident, even at slow speeds, especially when cornering. The rock and debris will also be picked up in the tires of other passing vehicles and shot backward at following traffic, causing vehicle damage and possible injury. When you add in the occasional moisture from the atmosphere and water run-off from the hills, onto this roadway, you multiply the potential for accidents to occur. And finally, I suggest that you factor in that these truck drivers have schedules to meet. Time is money to them and their employers. They will occasionally get behind on deliveries, or be distracted by talking or texting on their cell phones, or become impatient with slow country drivers on the SR 58, or experience mechanical failures with their trucks, or have to slam on their brakes for a darting animal in their path. This scenic, rural, windy country road leaves almost no margin for error. Allowing an average of 200 trips per day, by these long, double tractor trailer gravel trucks, presents the county with many opportunities for a terrible accident, if LPQ is approved.

Questions

- Does the DEIR measure the need for increased law enforcement on the SR 58 and how much will it cost?
- Does the DEIR sufficiently study the additional need for roadway repairs needed to repair damage from these heavy trucks traveling this route, especially when the asphalt is hot and soft in the warmest months, and the breakdown of the edge of the roadway resulting from “off-tracking” of these trucks and how much will the increased wear and tear on the road cost?
- Does the DEIR sufficiently study the need for increased monitoring and maintenance to keep the SR 58 free of dangerous dirt, rock and debris from the “off-tracking of these trucks and water and mud slides from the surrounding hills and how much will these activities cost?
- Does the DEIR sufficiently study what modifications and improvements need to be made to the SR 58 to safely allow this new truck traffic to exist and who will pay for those improvements?
- Does the DEIR study whether it may become necessary to purchase private land, in order to widen the SR 58 to allow these trucks to drive safely on this route and how will that acquisition of private land be handled?
- Does the DEIR study how the trucks will handle the situation when they encounter bicyclists or much slower traffic such as vehicles towing horse trailers, or the occasional slow moving farm equipment that uses the roadway? Will they attempt to pass or just sit patiently behind these other users of the roadway until they have cleared? Will passing

this type of slower traffic on a daily basis, be safe for oncoming traffic? Will it be realistic to expect these truck drivers to wait, causing them delays in their routes, until such other traffic clears?

- Does the DEIR study the issue of the county's shared responsibility with LPQ for injuries or deaths that may occur, involving an LPQ vehicle, on a route that has been deemed "Not advisable for Trucks with Trailers"?
- Does the DEIR merge the overall impact of the combined traffic resulting from the Santa Margarita Ranch Residential Ag Cluster and LPQ and any Hansen Quarry expansion or extensions?
- Does the DEIR adequately address the type and quantity of trucks that will be allowed/required to bring in the raw material for recycling at this quarry?
- Does the DEIR give realistic solutions to address where the truck staging will take place for trucks waiting to turn into the property at peak operating times and how will it affect other traffic attempting to pass by the entrance to the LPQ quarry?
- Because of the adjacency of the Hansen Quarry to the proposed LPQ, it would be conceivable for the LPQ trucks to drive through the Hansen Quarry and use their ingress/egress point on El Camino Real, thus avoiding the heavy impact on SR 58. Even though, it would require the owners of the LPQ to contract with the owners of the Hansen Quarry for that access, it could be accomplished and would simply be a cost of doing business in this area. Does the DEIR consider the feasibility of this alternative arrangement?

Quality of Life

Our family acquired our first property beautiful piece of property in Creston over 30 years ago as a second home. We selected it after viewing many properties in towns stretching from the northwest corner of San Luis Obispo County all the way down to the southwest corner of San Diego County. We looked at towns like Cayucos, Paso Robles, Santa Ynez, Ojai, and all the way down to Fallbrook and Julian. But the place that offered the beautiful landscape and small town charm that we were seeking was found in the area surrounding Creston and Santa Margarita. We have seen changes over those past 30 years, but the area still retains the charm, the beauty and the reputation that it held when we first bought here. But now, we are concerned that all of it is being threatened. This area is at a crossroads and we felt it was time to weigh in on that which is more difficult to measure; the quality of life. As Santa Margarita evolves, we want to see it do so in a way that promotes tourism, responsible but limited home development, support for its ranching roots and preservation of the beauty of the land, the availability of usable water, the cleanliness of the air and the peaceful enjoyment that we receive from our property today. What we don't want to happen is for a gradual shift away from those qualities and toward that of a town that is "Open for Business" for dirty, noisy and disruptive uses, such as rock quarries and trucking operations, blasting rock, consuming large quantities of our limited water supply, causing traffic delays and potential dangerous driving conditions, displacing nearby residents, and irreversibly changing the reputation of the town. This LPQ project is poorly sited and adds nothing to the quality of life in this area, but will do plenty to take away from it.

This project may also be a thorn in the county's side for years to come, due to litigation,

monitoring and enforcement of the conditions that will be required for LPQ to operate within the guidelines of its approval. Many government agencies incur significant, unanticipated costs due to the operation of facilities similar to LPQ. In Washington and Oregon, employees of Glacier Northwest (formerly Lone Star) have pled guilty of pollution violations for the unauthorized dumping of pollutants into Lake Union. In another incident, the company was fined \$250,000 for dumping contaminated waste water into a lagoon in Oregon City. In still other incidents the company was fined for blasting rock into water channels and into neighboring properties. In Marin County there is a long-running legal dispute over a century-old rock quarry in San Rafael, with neighbors, Marin County and the state all filing lawsuits to protect the community from excessive dust and debris. The lawsuits accuse the San Rafael Rock Quarry of digging deeper, mining more rock, causing more dust and sending more rock-laden trucks on the roadways than its own stated plans and state and county regulations permit. They are also being accused of putting up several buildings without permits. In 2011, a citizens group opposed to the Roblar Road rock quarry, sued the County of Sonoma and the quarry owner. They claim that operations at the planned 70 acre quarry would harm water and air quality in the area and impact traffic, wildlife and nearby county-protected open space and that the issues and the safeguards needed to address them, were not sufficiently studied and spelled out in the county's environmental review of the quarry. In 2012, the city of Temecula, California filed a lawsuit against Riverside County claiming the county didn't comply with CEQA when approving Granite Construction's EIR for supporting the Liberty Quarry. The suit claims that the county was negligible in providing information to the public. At the time, the city had already spent \$1.4 million in taxpayer money on legal fees, studies and consultants. In Rutherford County, TN, the County Commission has been in litigation since 2008 with the Rogers Group, who operate the Murfreesboro-Rutherford County Quarry, over issues relating to the requirements that the quarry be set back at least 1,500 feet from surrounding homes. The city of Shelbyville, TN and its Board of Zoning Appeals (BZA) has been embroiled in a \$10 million lawsuit for years over a proposed quarry. The applicant, Wright Pavement Company and Custom Stone LLC just this week, filed a new state lawsuit against the city. In Westerly, RI, Copar Quarries and Westerly Granite Company are suing their town, for \$10 million, claiming that they are the victims of a conspiracy against them and that their constitutional rights have been violated. It appears that litigation follows these quarries around, no matter where they go. I urge the applicants of the LPQ to consider a business plan that doesn't rely so much on the concessions and sacrifices of its neighbors.

Questions

- Does the DEIR adequately weigh or balance the value and the need for extracting mineral resources by the LPQ project against the value of open space, the recreational and agricultural qualities and the quiet enjoyment of surrounding properties by current residents?
- Does the DEIR consider allowing existing quarry operators in this area, including Hansen Quarry and Rocky Canyon Quarry, to expand adequately to meet any increase in demand for its product so as to avoid the need to allow for the approval of a new quarry that has yet to prove it can operate safely?
- This use appears to be incompatible with the surrounding properties along SR 58, as they are mostly residential. The noise, traffic, dust, etc, will cause some nearby residents to feel the need to move to regain the quality of life they enjoyed prior to the location of this quarry near their properties. The residents would also most likely be impacted by

experiencing a lower property value due to the impacts of the quarry. Does the DEIR evaluate these impacts to the neighbors near the LPQ and is it considered fair and reasonable for them to bear the burden of this development?

- Does the DEIR factor in the possible costs of litigation during this approval process and litigation that may result from the monitoring, and potential enforcement of conditions set on the quarry, as is the case with many quarries located across the country? A simple search of the internet turns up scores of past and current litigation between quarry operators and the municipalities in which they operate or propose to operate. Who will bear this seemingly inevitable cost?

Thank you for incorporating my comments and questions into your review of the DEIR for the Las Pilitas Quarry.

Warmest regards,

Chip Greene

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